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for Patents, Washington, D.C. 20231,

on December 5, 2002

Yvonne Loftin
(name of person making deposit)


(signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Les Johnson, et al.	§	DOCKET NO.: 55.0206 PCT/US
	§	
SERIAL NO.: 09/980,463	§	GROUP ART UNIT: Unknown
	§	
BASED ON PCT/EP99/03946	§	
FILED: June 3, 1999	§	
	§	
TITLE: Shear-Sensitive Plugging Fluid for Plugging and a Method for Plugging a Subterranean Formation Zone	§	EXAMINER: Unknown

RENEWED PETITION UNDER 37 CFR 1.47(a)

Assistant Commissioner for Patents
Attn: Box PCT Legal
Washington, D.C. 20231

Attention: PCT Legal Office

In response to the "DECISION ON PETITION UNDER 37 CFR 1.47(a)" mailed by the Office on October 11, 2002, and in accordance with 37 CFR 1.63, applicants submit a DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION form, a POWER OF ATTORNEY OR AUTHORIZATION OF AGENT form, and an ASSIGNMENT form executed by inventor Kamal Arsanious.

As was stated in the first Petition, the last applicant, Allen R. Toney, had repeatedly stated that he would sign the forms and then he subsequently had not done so. Attached was a copy of a letter from Ms. Delgado to Mr. Toney, attached to which was an International Recorded Delivery Form that he signed in February, 2002, indicating receipt

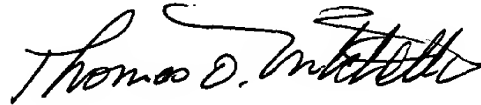
of the documents. The undersigned had spoken with Mr. Toney by telephone on two occasions, May 3, 2002, and May 9, 2002, during which he stated that he would sign and send the forms to the undersigned. Ms. Yvonne Loftin, CLA, had spoken with Mr. Toney by telephone on May 22, 2002, at which time he again stated that he would sign and send the forms to the undersigned. The forms have not been received. Mr. Toney's current address is 23 Edgington Ave., Red Deer, Alberta, T4R 2L1, Canada.

In the DECISION of October 11, 2002, the Petition was dismissed with regards to Mr. Toney on the grounds that there was insufficient evidence that he had all the application papers (specification, including claims, drawings and oath or declaration). There are no drawings associated with this application. Attached is a letter, with further attachments, from Ms. Carmen Delgado stating that on two occasions she sent Mr. Toney copies of the application; she sent him copies of the PCT application as filed and the PCT application as published. Note that the address printed on the PCT application as published (WO 00/75481 A1), to which the copies were sent, is identical to his current address, the address at which he recently signed for receipt of the Declaration and Assignment papers. Ms. Delgado's letter also states that the mailing to Mr. Toney of February 12, 2002, for which he signed the receipt, included a copy of the Declaration for his signature, together with a request for the signature and return of the signed forms. The undersigned also states that in his conversations with Mr. Toney, Mr. Toney agreed to sign both the Assignment and the Declaration and to send them to the undersigned.

Accordingly, Mr. Toney is in possession of the application papers and his conduct constitutes a refusal to sign. The signing Applicants respectfully request that they may make the application without the Declaration of Mr. Toney under 37 CFR 1.47(a).

The Assistant Commissioner for Patents is hereby authorized to charge any required fees (or credit any overpayment) to Deposit Account No. 50-2183(55.0206).

Respectfully submitted,



Thomas Mitchell
Reg. No.: 47,800
Agent for Applicants

Date: Dec. 4, 2002

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December 3rd, 2002

To Whom It May Concern:

USSN 09/980,463 Johnson, et al.

US National Phase of PCT/EP99/03946

I confirm that copies of the specification and claims of the present application have been sent to the inventor Allen R. Toney prior to any request for execution of patent application documents, as follows:

1. A copy of the International Application PCT/EP99/03946 as filed was sent to each inventor on June 16th, 1999 with my letter of that date (copy enclosed).
2. A copy of the publication of this application, WO 00/75481 A1, was sent to each inventor on December 28th, 2000 (copy of front page enclosed with note to this effect).

Mr Toney was therefore already in possession of a copy of the specification and claims of the present application when the letters of December 18th, 2001, January 17th, 2002 and February 12th, 2002 were sent to him requesting signature of the application documents.

I also confirm that at least one copy of the declaration for this application has been sent to Mr. Toney. The letter of February 12th, 2002 (copy enclosed) was sent to Mr. Toney by recorded delivery and Mr. Toney signed the receipt for delivery on February 21st, 2002 (copy enclosed). While the February 12th, 2002 letter only refers to assignment forms, a number of documents for signature were enclosed, including a copy of the US declaration document, together with a request for signature and return of the signed forms.

Yours truly,



Carmen Delgado
Patent Administrator

T : JOHNSON Les
ARSANIOUS Kamal
TONEY Allen R.
MURPHY Patrick
QUINN David

Date : 16 June 1999

Fr m : Carmen Delgado (Patent Administrator)

File nb : WO 55.0206

Subject : New International Patent Application

We are pleased to enclose herewith a copy of the new International patent application, entitled :

"Sh ar-sensitive plugging fluid for plugging and a method for plugging a subterranean formation zone"

filed on **3 June 1999**, under the number : **PCT/EP99/03946**.

Please note that new patent application will be published only 18 months after the filing date, and therefore should remain confidential.

Regards
Carmen

Encl.

Copy INVENTORS 28/12/00
OK

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
14 December 2000 (14.12.2000)

(10) International Publication Number
WO 00/75481 A1

- (51) International Patent Classification: E21B 33/138, 43/02
- (21) International Application Number: PCT/CA99/03946
- (22) International Filing Date: 1999.06.04
- (25) Filing Language: English
- (26) Publication Language: English
- (71) Applicant (for all designated States except CA, FR, US): SOFTTECH N.V. (BE/BE); 11042 84 Avenue, Grande Prairie, Alberta T8V 6H2 (CA); 50 avenue Jean-Jaurès, F-92541 Montrouge (FR).
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- (71) Applicant (for FR only): COMPAGNIE DES SERVICES DOWELL SCHLUMBERGER (FR/FR); 50 avenue Jean-Jaurès, F-92541 Montrouge (FR).
- (72) Inventors; and
- (75) Inventors/Applicants (for US only): JOHNSON, Les [CA/CA]; Schlumberger Dowell, 11042 84 Avenue, Grande Prairie, Alberta T8V 6H2 (CA). ARSANIOUS, Kamal [EG/CA]; Schlumberger Dowell, 11042 84 Avenue, Grande Prairie, Alberta T8V 6H2 (CA). TONEY, Allen R. [CA/CA]; 23 Edgington Avenue, Red Deer, Alberta T4N 1A1 (CA).
- (81) Designated States (national): AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GD, GE, GR, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SG, SI, SK, SL, SM, SN, SV, TC, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZA, ZW.
- (84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).
- Published: With international search report.
- For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: SHEAR-SENSITIVE PLUGGING FLUID FOR PLUGGING AND A METHOD FOR PLUGGING A SUBTERRANEAN FORMATION ZONE

(57) Abstract: A plugging fluid for plugging a subterranean formation zone surrounding a drill hole consisting of an emulsion comprising an oil phase containing an oil, an emulsifier and 2.4 to 4 kg of cement per liter of oil and an aqueous phase containing water and 12-16g of polysaccharide per liter of water, wherein the oil to water volume ratio ranges from 20:80 to 25:75. Upon shearing, the emulsion inverts so that the rupture of the emulsion droplets releases the cement into the water phase thus providing metallic divalent ion to crosslink with the polysaccharides and forming a gel structure.

CONFIRMATION COPY

WO 00/75481 A1

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CANADA

Clamart, February 12, 2002

Our Ref. : 55.0206 Brazil, Canada, Norway, Indonesia and USA

We have sent to you on 18 December 2001 and then on 17 January 2002 assignment forms for signature in order to complete our filings in Brazil, Canada, Norway, Indonesia and US. We have not received any documents signed yet. Please find enclosed new original forms for the above listed countries that we would be be grateful if you would sign and witness and return forms to us by express mail.

Thank you very much for your cooperation.



← Carmen DELGADO
Intellectual Property Law Department

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